

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

DONNA CURLING, et al.,)	
)	
Plaintiffs,)	CA No. 1:17cv02989-AT
)	
v.)	
)	
BRIAN KEMP, et al.,)	
)	
<u>Defendants.</u>)	

**STATE DEFENDANTS' MOTION TO DISMISS
PLAINTIFFS' AMENDED COMPLAINT**

Come Now the State Election Board (“SEB”), Secretary of State and Chair of the SEB Brian P. Kemp, members of the SEB David J. Worley, Rebecca N. Sullivan, Ralph F. Simpson, and Seth Harp,¹ and Merle King (hereafter “State Defendants”) through counsel, and hereby move to dismiss all claims against the State Defendants in Plaintiffs’ Amended Complaint. The State Defendants move for dismissal of all claims pursuant to Fed. R. Civ. Proc. 12(b)(1) and 12(b)(6).

The basis for the motion is more fully set forth in the accompanying Brief in Support of Motion to Dismiss.

¹ Seth Harp, while appointed to the SEB has not yet been sworn in to office.

Respectfully submitted,

CHRISTOPHER M. CARR
Attorney General 112505

ANNETTE M. COWART 191199
Deputy Attorney General

RUSSELL D. WILLARD 760280
Senior Assistant Attorney General

/s/Cristina Correia
CRISTINA CORREIA 188620
Assistant Attorney General

/s/Elizabeth A. Monyak
ELIZABETH A. MONYAK 005745
Assistant Attorney General

/s/Josiah B. Heidt
JOSIAH B. HEIDT 104183
Assistant Attorney General

Georgia Department of Law
40 Capitol Square SW
Atlanta, GA 30334
404-656-7063

Attorneys for State Defendants

Please address all
Communication to:
CRISTINA CORREIA
Assistant Attorney General
40 Capitol Square SW
Atlanta, GA 30334
ccorreia@law.ga.gov
404-656-7063
404-651-9325

CERTIFICATE OF COMPLIANCE

I hereby certify that the forgoing Defendants' Brief in Support of Motion to Dismiss was prepared in 14-point Times New Roman in compliance with Local Rules 5.1(C) and 7.1(D).

/s/ Cristina Correia
Assistant Attorney General

CERTIFICATE OF SERVICE

I hereby certify that on this date I have electronically filed the foregoing
STATE DEFENDANTS' BRIEF IN SUPPORT OF MOTION TO DISMISS
with the Clerk of Court using the CM/ECF system, which will automatically send
email notification of such filing to the following attorneys of record:

Bryan Ward
Marvin Lim
Holcomb + Ward LLP
3399 Peachtree Rd NE, Suite 400
Atlanta, GA 30326
Bryan.Ward@holcombward.com
Marvin@holcombward.com

Overtis Hicks Brantley
Bennett D. Bryan
DeKalb County Law Department
1300 Commerce Drive 5th Floor
Decatur, GA 30030

Patrise M. Perkins-Hooker
Kaye Burwell
Cheryl Ringer
Fulton County Attorney's Office
141 Pryor Street SW Suite 4038
Atlanta, GA 30303
Facsimile: (404) 730-6324

Daniel W. White
Haynie, Litchfield, Crane & White, PC
222 Washington Avenue
Marietta, Georgia 30060

Russell D. Waldon
WALDON ADELMAN CASTILLA
HIESTAND & PROUT
900 Circle 75 Parkway
Suite 1040
Atlanta, GA 30339

Anne Lewis
Strickland Brockington Lewis LLP
1170 Peachtree Street, NE
Suite 2200
Atlanta, GA 30309-7200

This 29th day of August, 2017.

/s/ Cristina Correia
Assistant Attorney General